

## **PROBATE AND FAMILY COURT DEPARTMENT STANDING ORDER NO. 2-99**

*(Applicable to All Divisions)*

### **PROCEDURE FOR SUBMISSION AND DISPOSITION OF CERTAIN MOTIONS**

Pursuant to Rule 78 of the Rules of Civil Procedure and Domestic Relations Procedure, the provisions of this Standing Order shall apply to all Motions for Reconsideration, Motions for Clarification of Orders or Judgments, Motions for New Trial, Motions to Amend Findings of Fact, Motions to Amend Conclusions of Law, Motions to Amend Judgments, and Motions for Relief from Judgment including Motions for Relief from Judgment Nisi.

#### **(a) Submission of the Motion/Petition and Opposition Thereto.**

(1) *Submission of Motion.* The moving party shall serve with the motion a copy of the order or judgment at issue and a concise statement of facts and law in support of why the motion should be granted. The statement shall be no longer than five (5) pages and shall be signed under the penalties of perjury.

All documents required to be served with the motion under paragraph (a)(1) of this Standing Order shall be filed with the court on the date of service or within five (5) days after service. Compliance with this paragraph is compliance with the "reasonable time" provisions of Mass.R.Civ.P. 5(d)(1) and Mass.R.Dom.Rel.P. 5(d)(1).

(2) *Submission of Statement in Opposition or Support of the Motion.* Except by leave of court, upon motion, within ten (10) days after service of the motion, the non-moving party(ies) opposing or supporting the motion may file and serve a concise statement of facts and law in opposition to or in support of the motion. Said statement shall be no longer than five (5) pages, should explain why the motion should or should not be allowed, and shall be signed under the penalties of perjury.